

United States District Court

SOUTHERN

DISTRICT OF
McALLEN DIVISION

TEXAS

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Felipe Adan Alvarez

PRINCIPAL

YOB: 1957

United States District Court
Southern District of Texas
FILED

Case Number:

M-18-271 -M

FEB 05 2018

(Name and Address of Defendant)

Clerk of Court

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about February 4, 2018 in Starr County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Gerardo Andrade-Wences, a citizen and national of Mexico, along with two (2) other undocumented aliens, for a total of three (3), who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Rio Grande City, Texas to the point of arrest near Rio Grande City, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY
I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On February 4, 2018, a Border Patrol Aerostat Operator advised agents that a group of suspected undocumented aliens crossed the river from Mexico near the community of Los Barrera in Rio Grande City, Texas. This area is documented as a frequent crossing for illegal aliens and narcotics.

The aerostat operator then observed a grey sedan approached the river area where the suspected undocumented aliens had crossed. The aerostat operator further indicated that ^{DB} several subjects got out of the brush and approached the grey sedan. Shortly after, the grey sedan was seen driving off towards Highway 83

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Signature of Complainant

Approved Teresa Leonard
Sworn to before me and subscribed in my presence,

February 5, 2018

Date

David Bernal III Senior Patrol Agent
Printed Name of Complainant

at McAllen, Texas
City and State

J Scott Hacker, U. S. Magistrate Judge
Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-18- 271 -M

RE: Felipe Adan Alvarez

CONTINUATION:

The aerostat operator maintained visual and guided the responding agents to the sedan as it traveled east on Highway 83.

As agents positioned themselves behind the sedan, the aerostat operator confirmed the sedan was the same vehicle observed at river. At this time the agents activated their emergency equipment and conducted a vehicle stop.

At the vehicle stop the agents approached the driver and identified themselves as a Border Patrol agents. The agents then conducted an immigration inspection on the driver and three passengers. The driver was identified as Felipe Adan ALVAREZ, a United States Citizen. Gerardo ANDRADE-Wences and the two additional passengers were determined to be illegally present in the United States.

All subjects were placed under arrest and transported the Border Patrol station.

PRINCIPAL STATEMENT:

Felipe Adan ALVAREZ, was read his Miranda rights and agreed to answer questions without an attorney present.

ALVAREZ stated he was arrested for picking up illegal aliens in Rio Grande City, Texas. ALVAREZ indicated that he was going to charge the illegal aliens an unknown dollar amount once he dropped them off. ALVAREZ that after picking up the illegal aliens he drove for five minutes before being stopped by Border Patrol. ALVAREZ admitted that smuggling people into the United States is a crime and has done it in the past.

MATERIAL WITNESS 1:

Gerardo ANDRADE-Wences, a citizen of Mexico, was read his Miranda Rights and agreed to provide a statement without an attorney present.

ANDRADE stated his friend made the smuggling arrangements and was to pay an unknown dollar amount once he reached McAllen, Texas. ANDRADE stated he made his illegal entry into the United States using a raft with a group of individuals. ANDRADE stated that once in the United States a foot guide told the group that once they got passed the brush a car would be there to pick them up. ANDRADE indicated that after receiving those instructions the group boarded the only vehicle they saw in the area. ANDRADE stated that when he boarded the vehicle the driver instructed him to find space and stay down. He further stated that they drove away from the river and traveled for approximately five minutes before being stopped by immigration.

ANDRADE was shown a photo lineup and was able to identify ALVAREZ as the driver of the vehicle.